

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

SOLOMON MISNER,

:

Plaintiff(s),

:

vs.

Case Number: 1:06cv403

TERRY COLLINS, et. al.,

District Judge Susan J. Dlott

Defendant(s).

:

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Timothy S. Black filed on February 27, 2008(Doc. 66), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired March 18, 2008, hereby ADOPTS said Report and Recommendations.

Accordingly, Defendants' Motion for Summary Judgment (Doc. 64) is **GRANTED**.

Plaintiff's Motions for Preliminary Injunctive relief (Doc. 23 and 25) and for Joinder of necessary parties (Doc. 41) is **DENIED AS MOOT**.

This case is hereby **TERMINATED** off the docket of this Court.

It is further **ORDERED** that the Court certify any appeal would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3); *McGore v. Wrigglesworth*, 114 F. 3d 601, 610-11 (6<sup>th</sup> Cir. 1997); *Kincade v. Sparkman*, 117 F.3d 949 (6<sup>th</sup> Cir. 1997).

IT IS SO ORDERED.

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s/Susan J. Dlott  
Susan J. Dlott  
United States District Judge